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ABSTRACT

The student's kit and teacher's manual provide a framework for secondary students to simulate the functionings of Georgia's General Assembly. Objectives of the simulation are to help students: (1) experience the forces and conflicts involved in lawmaking, (2) learn about the role of legislators, (3) understand and discuss issues facing citizens, (4) develop a respect for different views, (5) understand parliamentary procedure, (6) become better informed on public issues, and (7) to develop debate and public speaking skills. The 14-day session calls for orientation, bill research and drafting, organizing the assembly, committee meetings, floor action, debriefing sessions, and optional follow-up sessions. The teacher's guide presents procedures for introducing each phase of the process. The student's kit contains a bill drafting guide, a guide to committee action, and rules of the model legislature including duties of officers, time limits on debates, motions, amendments, and additional rules. Although the model legislature functions best by combining several classes which last longer than a class period, it can be adapted for use in a regular classroom. (KC)

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HOW TO HOLD A MODEL LEGISLATURE

TEACHER'S MANUAL

Institute of Government
University of Georgia

HOW TO HOLD A MODEL LEGISLATURE

—A SIMULATION OF THE GEORGIA GENERAL ASSEMBLY—

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HOW TO HOLD A MODEL LEGISLATURE

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MATERIALS NEEDED

gavel and base
manual of parliamentary procedure
Rules of the Georgia House and Senate (optional)

It is important that the Speaker have a gavel (and base) to use in conducting floor sessions of the Model Legislature, particularly with respect to bringing the Assembly to order.

It is helpful if the teacher has a copy of Robert's Rules of Order or another manual of parliamentary procedure.

It is further helpful if a copy of the Rules of the Georgia House and Senate is available for consulting on matters which may arise and are not covered by rules of the Model Legislature. These Rules may be obtained at no charge from the Secretary of State, State Capitol, Atlanta, Georgia 30334.

Finally, the teacher will need a supply of Ditto masters and paper for reproducing copies of each bill and the daily Calendar. In lieu of actually reproducing copies of each bill, an overhead projector may be used.

INTRODUCTION

This Model Legislature provides a framework in which students can simulate the functioning of Georgia's General Assembly. Students will face situations, make decisions, achieve success, and suffer setbacks not unlike the experiences of Georgia legislators. In the process of drafting bills, organizing as a legislative body, holding committee meetings, and participating in floor debate, students will improve their understanding, interest, and appreciation of our lawmaking process.

Objectives

The conducting of a simulation such as the Model Legislature provides an active learning experience which is particularly well suited to political education. Among specific objectives of the Model Legislature are --

1. to allow students to experience the forces and conflicts of setting laws within a society comprised of people with many interests.
2. to show how students are affected by their state legislature.
3. to allow students to learn about the role of legislators in the state legislature and the nature of representative government.
4. to encourage open discussion of issues facing citizens of this state.
5. to develop a respect for differing views.
6. to develop an understanding of the need for, and operation of, rules of parliamentary procedure.
7. to develop the skills necessary to become better informed on issues of public policy.
8. to develop the skills of public speaking and debate.

Simulating Georgia's Legislative Process

While the Model Legislature was designed to provide a sense of reality about Georgia's legislative process, a number of modifications had to be made in the actual procedures followed by the General Assembly.

For the most part, these modifications simplified procedures, eliminated duplication, or adapted the procedures for a school setting. Thus, it was decided to set the Model Legislature up as a one-house, or unicameral, legislative body called "The Assembly." In real life, of course, the Georgia General Assembly is a two-house legislature, but it is more difficult to coordinate a two-house body in a school setting.

Although some modification of the rules may be appropriate, if the simulation is to reflect reality, there should be as little deviation as possible from the printed rules and procedures contained in the student materials. Beware of compromising the integrity of the experience to the extent that students will undergo experiences incongruous to those in a real legislature, while thinking they are accurately portraying legislative behavior.

Format and Schedule

The Model Legislature can be used in any of several ways. Ideally, many classes should be combined in settings which last longer than a single class period. This arrangement would allow for a greater variety of bills to be considered, more committees to be appointed, and more "politicking" and developing of factions among students who are not acquainted. Also, students may find it easier to role play as they debate before a larger Assembly.

A social science department interested in providing this experience in the more realistic setting of combined classes might parcel the activities out in the following manner: (1) Orientation sessions conducted by individual teachers during regular class periods. (2) Students come together for one-two hours (in the lunchroom, gymnasium, or auditorium) to organize and elect officers. (3) Students return to regular class periods to draft and research bills. (4) Each class then functions as one or more committees. Teachers collect drafted bills and distribute them to appropriate committees for review. (5) On a designated day, students assemble for an all-day, in-school "field trip" -- the floor session of the Model Legislature. (6) Debriefing and follow-up sessions are conducted by individual teachers during regular class periods.

The Model Legislature can also be adapted for use within a regular classroom. Individual teachers are encouraged to make adjustments in the scheduled activities to suit their classroom situations. The organization and election of officers,

for instance, may be run concurrently with the bill research and drafting period to avoid vacant periods in class while students are engaged in outside research. Teachers are also encouraged to modify the activities to allow for grading. Depending upon the motivation of the students, for instance, a quiz on the Rules of the Model Legislature may be an appropriate forerunner to the floor sessions.

Parts of the Model Legislature might also be extracted for separate use, especially if the curriculum or student ability level would not allow the use of the full simulation. For example, the bill research and drafting section could be used as a substitute for the usual term paper. Committee sessions to perfect bills might be used in place of traditional classroom group projects. Finally, the floor sessions alone might be simulated as a one-to-two-day classroom experience with the use of teacher-prepared bills. These experiences, while providing worthwhile learning situations, cannot be expected to convey to students the same sense of involvement as a full simulation in which students debate the bills they actually created.

Student Preparation for the Model Legislature

The Model Legislature was designed to follow a unit of classroom instruction on the legislature or state government. It is assumed, therefore, that students will have some familiarity with basic governmental concepts and terms and legislative organization and procedures.

You should also acquaint students with the rules of parliamentary procedure, explaining that they have been developed to help conduct meetings in an orderly fashion. Although legislative rules vary somewhat from those found in Robert's Rules of Order, they are similar enough that it may be helpful to have a copy of Robert's or another manual on parliamentary rules.

It will also be helpful to students if "Georgia Lawmakers in Action," a filmstrip documentary, and/or the National Conference of State Legislatures film on lawmaking in state legislatures is shown before beginning the Model Legislature.* Similarly helpful is the series, "The Lawmakers," shown each year on Georgia educational television from 8-9 p.m., weekdays, during the General Assembly session. These audiovisuals will contribute to student understanding of the legislative process and illustrate the roles students will be emulating.

**Both film and filmstrip are available from Institute of Government, University of Georgia, Terrell Hall, Athens, 30602 (404-542-2736).*

SCHEDULE OF ACTIVITIES

The number of days shown for each activity are suggestive only and can be adjusted as needed to fit your class schedule.

Days	Activity
1	Orientation Session
	Description of activities and materials
	Handout of student materials
2-4	Stage I--Bill Research and Drafting
	Selecting a bill topic
	Researching the bill topic
	Writing a bill and position paper
5-6	Stage II--Organizing the Assembly
	Electing a Speaker and Clerk
	Appointing committee members and officers
	Assigning bills to committees
7-8	Stage III--Committee Meetings
	Discussion and testimony
	Voting on committee recommendations for each bill
9-10	Stage IV--Floor Action
	Debate and amendment
	Voting
11-12	Debriefing Sessions
	Review of simulation and comparison with real life
	Evaluation of simulation
13-14	Optional Followup
	Further discussion of substantive issues raised during debate
	Discussion of bills which did not get called up

Orientation Session (Day 1)

Brief students on the purpose, procedures, and requirements of the simulation. Each student should be given a copy of the student materials during, or prior to, this session. The materials may need some explanations, and this orientation will help to avoid some of those questions of interpretation which often arise once a simulation has begun. Throughout the course of the Model Legislature, students should keep their copies of the materials nearby for quick reference.

This orientation session can also be used to stimulate student reflection about perceptions and attitudes concerning political institutions and practitioners. Exploration of the sources of the students' political ideas might lead into a discussion of the purposes of such educational experiences as the Model Legislature.

Students should understand that no right answers, no correct ways of thinking, no one disposition toward political institutions will be expected of them. Rather, they should expect to gain personally from the simulation activities in proportion to whatever efforts they put into them. Of course, they should be aware of the possibilities for growth that may accrue to them as a result of serious participation.

During this introductory session, it is also important for students to understand the need for, and typical operation of, parliamentary rules of procedure. If you are familiar with the basic parliamentary rules, outline the steps or stages in a meeting, indicating the correct procedure for speaking, presiding, making motions, voting, and so forth. If you are not familiar with parliamentary procedure, invite another teacher, librarian, or administrator to the classroom to discuss how meetings are conducted. Also, within the community there are many associations which follow parliamentary rules of procedure and which might be invited to send a representative to explain how meetings are conducted and the importance of these rules.

Before proceeding with the Model Legislature have the class experiment with parliamentary procedure by briefly acting out a floor session (see secton on Conducting a Floor Session, pp. xiii--xvi).

It is important during this first session that some semblance of decorum be impressed upon the students. Obviously, this will be difficult in some

situations. But it is important that students respect the right of each person to speak on an issue and that this right be enforced during the simulation.

The transition from class members to lawmakers may take several days -- and for some may never come. But during the simulation most students will assume a more serious posture about their roles. To enhance this transition, as well as to follow the General Assembly's actual custom, indicate to students that they must refer to each other during sessions of the Model Legislature as "Representative Jones" or "the Representative from the 14th District" (discussed in Stage II). This means that during floor sessions and debate students will not be allowed to address or refer to each other by first name. If they question this rule, indicate that this practice is rigidly enforced in the Georgia General Assembly. (It traces from tradition, the deference and respect accorded to state legislators, and the observation that differences of opinion during debate are taken less personally when formal titles -- rather than names -- are used.)

Stage I - Bill Research and Drafting (Days 2-4)

This stage of the simulation involves students in individual research and bill writing. It precedes the actual convening of the Assembly as a body and is critical to its ultimate success, since the idea behind the simulation is that legislators will study, debate, and vote on bills they have actually introduced.

At least three class periods should be allocated for students to work on their bills. If students are to follow most of the suggestions in their Bill Drafting Guide, they will either need outside time to do their research, need to be released to work in the library, or need appropriate research resources in the classroom. Examples of resources are found in the Bill Drafting Guide.

The student's Bill Drafting Guide includes both a list of suggested topics of bills and a list of areas in which the General Assembly enacts legislation. It is recommended that students be free to select whatever bill topic they wish, since their interest in the subject will be critical to their enthusiasm for drafting and defending their bill. However, in order to ensure that each committee has bills to consider during committee sessions, you may want to put some constraints on selection, e.g., dividing the students,

by preference, into topic areas.

Although there may be some duplication, it is important that each student individually draft a bill. Later, during committee consideration, authors of similar bills will have the opportunity to combine forces behind a single bill if they so desire.

At this point, you should make sure students understand what is expected of them. Some students may question the need for research and for writing a position paper supporting their bills. However, it is important that this be done to avoid frivolous measures and to provide a framework for an in-depth examination of the need for specific pieces of legislation.

Furthermore, for students to convincingly argue in support of their bills, they should believe in the need for that bill and to possess enough knowledge to not only put together a good position statement, but also to answer questions raised by other students.

Review the Bill Drafting Guide with the class. This guide contains helpful hints on selecting a topic for a bill, researching that topic, contacting local resources, preparing a position paper, and actually writing the bill. The position paper should be prepared before the bill is drafted. It should more or less follow the steps given in the guide and could be written in either outline or essay form.

Explain that each student will not need to follow every avenue or suggestion for research in the guide. Also, it is not expected that every bill submitted by the students be in sophisticated format. But it is important that each student select a topic for a bill, prepare a position paper (however brief), and draft at least one bill.

You (or the Clerk if selected) should number bills consecutively in the order they are turned in. If possible, bills should be reproduced so that each student has a copy, particularly for committee consideration. Later, if a bill is substantially amended in committee, it will be necessary to reproduce the amended version for each member of the Assembly to see during floor debate. (An overhead transparency could also be used.)

Stage II - Organizing the Assembly (Days 5-6)

1. Assign each student a district number. In actual practice, legislators are elected from dis-

tricts of roughly equal population, with each district given a separate number. Although there will be no actual districts in this simulation, students will have the formal designation of "the Representative from the 1st District," "the Representative from the 14th District," and so on.

2. Identify the names of the committees which will be used in the Model Legislature and have students think about which committee they would like to serve on. It will not always be possible to assign the committee requested (as in real life), so students should indicate second, third, and fourth choices.

3. Identify the titles and duties of each Assembly officer (see Rules of the Model Legislature, Rules 1-12), and have students think about who they would like to elect to these positions.

Generally, seriousness of purpose, leadership capability, a willingness to perform extra duties, and a good knowledge of parliamentary procedure are qualifications for effective legislative officers.

Within legislative bodies, there is a degree of preelection maneuvering and behind-the-scenes campaigning for Assembly offices -- particularly that of presiding officer. In some cases, the barters for support are promises of seats or chairmanships on desired committees. It is important that an opportunity for this bargaining be allowed to take place in the Model Legislature. Thus, it may be advisable to announce the title and duties of Assembly offices during the orientation to allow students desiring to run for these positions to indicate their intention and to allow time for campaigning before the actual election takes place.

Since the Assembly will have no holdover organization from a previous session, it is appropriate for you to preside over the election. However, once the Assembly Speaker, Assembly Speaker Pro Tempore, and Clerk have been chosen, the Speaker takes over as the presiding officer. (In some cases, logistics may dictate that the teacher assume the duties of Clerk.)

4. The next order of business is the designation of a Sergeant-at-Arms by the Speaker. The Sergeant-at-Arms can be an important official in helping maintain order during sessions of the Assembly, and the teacher should advise the Speaker of the necessity for appointing someone who can help keep members in order.

5. Next comes assignment by the Speaker of members to the respective committees. The Speaker may do this alone or in consultation with allies as in most state legislatures. At the same time, the Speaker will appoint committee officers -- a chairman, vice chairman, and a secretary for each committee.

Students may submit written requests to the Speaker to be on or to chair certain committees, but the actual assignment is left to the Speaker and may be arbitrary or arise out of preelection bargaining.

Stage III - Committee Meetings (Days 7-8)

By this time, all bills and position papers should be complete and filed with the Clerk of the Assembly, who will assign a number to each bill in the order it is introduced. The first bill will be numbered "Assembly Bill 1" (or A.B. 1), and so on. For each bill filed, the Clerk will record on a list the bill's number, author, and "title."

These bills are then turned over to the Speaker, who will briefly look at the bill, determine its subject matter, and decide which committee should consider it. Since the assignment of bills to committee is somewhat arbitrary, instruct the Speaker to distribute bills as evenly as possible to ensure similar workloads for each committee. Announce a deadline for the termination of committee action. (Some bills will probably not be voted out of committee in time for the floor sessions.)

Review the duties of the committee in the student's Guide to Committee Action. Explain that if the author of a bill does not agree with the changes the committee has made, that author can later appeal to the full membership to support the original version of the bill. If the author concurs with the changes, it is often helpful for the author to indicate to the full membership during debate that she or he supports the changes.

Students should then group into assigned committees, hopefully, at locations where committees will be able to discuss the bills without unduly disturbing the other committees. As in real legislative proceedings, the committee is a critical stage in the legislative process. It is here, rather than on the floor, that most bills receive their most thorough review. And it is at this stage that bills are "perfected" (that is, studied and improved).

As a final note on the committee stage, you should make yourself available as a resource person -- or as a lobbyist -- to aid committee deliberation. Other teachers, members from Leagues of Women Voters, or other interested parties from the community may be invited to work with the committees. Generally, the presence of an outside party will contribute to the committee members taking their work seriously.

Stage IV - Floor Action (Days 9-10)

Finally, the Model Legislature is ready to proceed with the most visible stage of the legislative process: debating and voting on bills as an Assembly (see Conducting a Floor Session, pp., xiii--xvi and Model Legislature Rules, pp. 21-30).

Before bills can come before the full body for floor action, a calendar must be prepared by the Rules Committee. A calendar is a listing of the bills which have been reported from committees with a favorable recommendation. (See sample format, p. 21). When a bill is called up from a Calendar, the Clerk should read the language of the bill aloud, and then the Speaker should open the floor for debate and discussion. To speak for or against a bill, a member must obtain the recognition of the Speaker, and then move to the front of the Assembly or "well" to speak. Members can ask questions from their seats, but only by asking permission through the Speaker (see Rules 25-40).

After debate, any member may call for a vote by "moving the previous question." If a majority of the members vote for the "previous question," all debate is ended. Amendments are then voted upon, and after all amendments have been before the body, the main bill as amended is voted upon (see Rules 57-64 and the section, Voting in the Model Legislature, pp. xvii--xviii).

Debriefing Session (Days 11-12)

Much of the benefit that students derive from their participation in the Model Legislature will depend upon a good debriefing session. Reflection upon the meaning of their perceptions, clarification of their attitudes, analysis of the complexities of vote trading, compromising, and conflicting loyalties -- these will help students apply their experiences to subsequent learning situations.

The first debriefing session should summarize the substantive issues raised in the several stages of the simulation, as well as examining the legislative process revealed in these stages. What topics received the most attention? Were these topics the most controversial? On what bases did members react to issues raised? What were the characteristics of effective members? What role did personality play in the passage or defeat of bills? Did bills always win or lose on their own merits? What strategies paid off in committee meetings? In floor debate? What is the role of compromise? These and other questions might be used to probe beneath the surface of students' experiences.

The second debriefing session can be used to evaluate the simulation. This evaluation has two aspects: How well was the simulation organized and conducted? How beneficial was the simulation for the student? The evaluation form provided in the student materials might be used as the starting point for discussion. After students have completed the form, the tabulated results can be distributed or projected on a transparency. Discussion should consider why students reacted to the simulation as they did and what suggestions might improve the simulation as a learning experience.

Optional Followup (Days 13-14)

If students were unable to complete debate and voting on all bills on the Calendar, this period can be used to continue the Model Legislature so that remaining bills can be called up, debated, and voted upon. Additionally, a great deal of debate may have been generated on some bills, which, for the sake of time, had to have been cut off. This follow-up period can be used to continue class debate on these substantive issues.

Another follow-up activity could be determining of the best two or three pieces of legislation passed by the Assembly. These might be conveyed to a local member of the Georgia House or Senate for possible introduction in the next session of the Georgia General Assembly. This raises the prospect that bills drafted, debated, and passed by students participating in the Model Legislature might later be enacted into law by the General Assembly.

Students can also be encouraged to share the ideas generated at the Model Legislature with their school and community. Possible projects include writing a newspaper article for the school or local paper, preparing a talk for a community group, and writing or talking with their legislator about the experience.

CONDUCTING A FLOOR SESSION

1. Speaker calls Assembly to order by rapping gavel several times (until attention of delegates is obtained) and announces:

   THIS SESSION OF THE 197_ ASSEMBLY WILL PLEASE COME TO ORDER!

2. If, at the time of adjournment of previous meeting, a motion was under consideration, Speaker announces:

   UNFINISHED BUSINESS IS NOW IN ORDER.

3. Speaker next announces:

   CONSIDERATION OF ASSEMBLY BILLS IS NOW IN ORDER. WILL THE CLERK READ ASSEMBLY BILL_____?

4. After Clerk has read the text of the bill, Speaker asks:

   WOULD ANYONE LIKE TO SPEAK ON THIS BILL?

   Usually, the first person to rise and ask for recognition will be entitled to speak. If two or more members rise at the same time, Speaker generally should give preference to bill's author or to chairman of the committee which considered the bill, if either is seeking recognition.

   No member who has spoken once on a bill shall again speak until all other members desiring to speak have had an opportunity. Also, members who infrequently speak should be given preference over those who frequently speak.

   To the degree possible, Speaker should alternate between supporters and opponents of a bill or motion. If necessary, Speaker may ask a member seeking recognition which side he will speak on.

5. Speaker has responsibility for assuring that all discussion during debate be relevant to the bill or motion before the Assembly. If unrelated matters are brought up, Speaker shall interrupt member speaking and state:

   WILL THE REPRESENTATIVE CONFINE HIS (HER) REMARKS TO THE QUESTION BEFORE THIS BODY?

6. Once a member has obtained the floor to speak on a bill or motion, that member comes to the front of the

Assembly to a podium or rostrum called the well. (Even if there is no podium in classroom, members must come to the front to speak.)

7. During debate, Speaker has the responsibility to assure that each member speaking from the "well" shall have the attention of the Assembly, and that no talking, whispering, disorderly conduct, applause, heckling, or unnecessary interruptions shall occur. This rule shall be strictly enforced by the Speaker, using the gavel if necessary and declaring:

   THIS ASSEMBLY SHALL COME TO ORDER!!

8. When a member wishing to ask a question of a member who is speaking from the "well" raises his or her hand, the Speaker will interrupt the member who is speaking and state:

   I RECOGNIZE THE REPRESENTATIVE FROM THE ___ DISTRICT (or) I RECOGNIZE REPRESENTATIVE JONES (or) FOR WHAT PURPOSE DOES THE REPRESENTATIVE RISE?

   After Representative Jones responds, the Speaker then asks if the member in the "well" will yield for a question (see Rule 26).

   The Speaker should assure that all statements from members at their desks to a speaker in the "well" are in the form of questions. Argumentative debate should not occur between a member in the well and one at his or her desk, although questions may be so phrased as to get a particular point across. When a member makes statements -- rather than questions -- to the member in the "well," the Speaker will say:

   DO YOU HAVE A QUESTION? If necessary, the Speaker can declare: THE GENTLEMAN (LADY) IS OUT OF ORDER!

9. The procedure by which a member may raise a "point of order" (see Rule 39) follows:

   MEMBER (without waiting for recognition): MR. (MADAME) SPEAKER, I RISE ON A POINT OF ORDER, (or simply) POINT OF ORDER!

   SPEAKER: STATE YOUR POINT.

   MEMBER: THE AMENDMENT JUST PROPOSED IS OUT OF ORDER BECAUSE IT WOULD AMEND AN AMENDMENT TO AN AMENDMENT.

   SPEAKER: THE MEMBER IS IMMINENTLY CORRECT. (or) YOUR POINT IS WELL TAKEN, AND THE LAST MOTION TO AMEND WOULD BE OUT OF ORDER.

When the point of order raised is not justified,

SPEAKER: THE POINT IS NOT WELL TAKEN, BECAUSE WE ARE NOW CONSIDERING ANOTHER PORTION OF THE BILL WHICH HAS NOT BEEN AMENDED.

10. The procedure by which a member may raise a "parliamentary inquiry" (see Rule 40) follows:

MEMBER: PARLIAMENTARY INQUIRY! (or, if raising the point while another member has the floor) MR. SPEAKER, I RISE ON A POINT OF PARLIAMENTARY INQUIRY.

SPEAKER: STATE YOUR INQUIRY.

MEMBER: IS A MOTION TO ADJOURN DEBATABLE?

SPEAKER (after consulting rules if necessary): A MOTION TO ADJOURN MUST BE DECIDED WITHOUT DEBATE.

11. After a member in the "well" yields the floor, the Speaker inquires:

ARE THERE OTHER MEMBERS WHO WISH TO SPEAK ON THIS BILL (or) AMENDMENT (or) MOTION?

12. At any point during floor debate, any member may "move the previous question" if no member has the floor. Or, if no member so moves, and the Speaker feels that all members have had an opportunity to speak, the Speaker may state:

IS THERE A MOTION FOR THE PREVIOUS QUESTION?

When the "previous question" is called on a motion or amendment to a bill, the effect is to cut off debate on that motion or amendment. Following a vote on that motion or amendment, however, other amendments may be offered and additional debate allowed.

When the "previous question" is called on a bill (and all attached amendments), the effect is to cut off any further debate on the bill, except for the concluding time allowed by Rule 41 for the committee which considered the bill.

13. After the "previous question" has been called, the Speaker asks:

SHALL THE MOTION FOR THE PREVIOUS QUESTION BE SUSTAINED?

If a majority so sustain (see "Voting in the Model Legislature"), the Speaker then asks:

SHALL THE MAIN QUESTION BE NOW PUT (OR ORDERED)?

If this motion is approved by the Assembly, no other motions will be allowed. If not approved, other motions are in order.

NOTE TO SPEAKER: The two questions above can also be stated:

IS THERE OBJECTION TO THE PREVIOUS QUESTION BEING ORDERED?

IS THERE OBJECTION TO THE MAIN QUESTION BEING NOW ORDERED?

Unless a member says, "I object.," it is not necessary to obtain a "yea" and "nay" vote. However, if any member does object, it will be necessary to ask for a vote.

14. After the main question has been ordered, the Speaker announces:

THE VOTE WILL NOW BE ON THE MAIN QUESTION. ALL THOSE IN FAVOR OF ASSEMBLY BILL ____ HOLD UP YOUR RIGHT HAND. . .ALL THOSE OPPOSED. . . (see Voting in the Model Legislature)

After consulting with the Clerk, who has counted the votes, the Speaker announces:

ON THE PASSAGE OF ASSEMBLY BILL ____, THE "AYES" ARE ____, THE "NAYS" ARE ____. THIS BILL, HAVING RECEIVED THE REQUISITE CONSTITUTIONAL MAJORITY, IS PASSED (OR DEFEATED).

15. Speaker then announces:

WILL THE CLERK READ THE NEXT BILL ON THE CALENDAR?

VOTING IN THE MODEL LEGISLATURE

Voting Requirements

Generally, most procedural motions require a majority of those voting to approve. However, some motions have special requirements (see Rule 48). Amendments to a bill require a majority of those voting, providing a quorum is present. Final passage of a bill requires a majority of all members of the Assembly, regardless how many members are actually present and voting. In Georgia's General Assembly, this absolute majority requirement is spelled out in the state's constitution and is called a "constitutional majority."

Abstaining. In Georgia, legislators -- as representatives of the public -- are not allowed to abstain in voting.

"Pairing" of Votes. Unlike Congress, no "pairing" of votes is allowed in Georgia.

Secret Ballots. Secret ballots are not allowed during voting in the Assembly, and all votes will be by voice or hand.

Types of Voting

VIVA VOCE. This is a collective voice vote taken first of all members who support a motion or bill, and then of all members who oppose the motion.

Example: THE VOTE IS ON THE MOTION TO ADJOURN, ALL IN FAVOR SAY "AYE". . . . (Speaker pauses). . . .ALL OPPOSED SAY "NAY". . . .(Speaker again pauses). . . .THE "AYES" HAVE IT!. . . .(Speaker pounds gavel once).

If the Speaker is unsure of the results, or if any member appeals the Speaker's interpretation of the results, the Speaker can have the members repeat the viva voce vote or vote again by another procedure. To appeal the Speaker's interpretation of a viva voce, a member may move that the house "divide", or simply state "division." This is a call for a vote by hand. Or a member may move that the "yeas and nays" be called.

HAND VOTE (or VOTE BY DIVISION). This is a vote by show of hands, where only the totals of members for and against are recorded. In this procedure, the Clerk counts hands on both sides and reports the results on a written note to the Speaker.

Example: THE VOTE IS ON ASSEMBLY BILL 31. ALL IN FAVOR RAISE YOUR RIGHT HAND. . . (Speaker pauses until Clerk counts hands, cautioning members, if needed, to hold their hands high or to keep their hands up until all votes have been counted.). . .ALL OPPOSED RAISE YOUR RIGHT HAND. . .(Speaker again pauses while Clerk counts. Clerk then writes results down and hands them to Speaker.) ON THE PASSAGE OF ASSEMBLY BILL 31, THE "AYES" ARE 17 AND THE "NAYS" ARE 13.

YEAS AND NAYS (or ROLL CALL VOTE). The Clerk reads the name of each member, and that member vocally states "yea," "aye," or "yes" if in favor, and "nay" or "no" if opposed.

Example: THE VOTE IS ON ASSEMBLY BILL 31. ALL IN FAVOR SAY "AYE," ALL OPPOSED SAY "NAY," AND THE CLERK WILL READ THE ROLL.

UNANIMOUS CONSENT. This is a procedure for voting or obtaining the permission of the body (except on the final passage of a bill). It is usually used on less controversial matters and often to expedite Assembly deliberations. The Speaker asks if there is objection to the motion or request being voted upon; if no member immediately objects, the motion or request is considered approved. If any member objects, however, other voting procedures must be used.

Example: IS THERE OBJECTION TO THE PREVIOUS QUESTION BEING ORDERED?. . .(Speaker pauses momentarily and looks around the Assembly). . .THE CHAIR HEARS NONE, AND THE PREVIOUS QUESTION HAS BEEN ORDERED.

THE MODEL LEGISLATURE

STUDENT'S KIT

by Edwin L. Jackson

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INSTITUTE OF GOVERNMENT, UNIVERSITY OF GEORGIA

HOW TO HOLD A MODEL LEGISLATURE IN YOUR CLASSROOM

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The General Assembly

State Capitol

Atlanta

Dear Student:

The Model Legislature in which you will be participating can be a unique and exciting experience. You will draft bills, participate in committee and floor sessions, and debate bills using rules adapted from the Georgia General Assembly.

As a student legislator, you will experience the forces and conflicts of setting laws within a society comprised of people with many interests. Remember that reasonable men and women can disagree on important issues.

Do not take your responsibility lightly, and we can promise that each of you will gain a new insight into the lawmaking process of our state.

Sincerely,

Thomas B. Murphy
Speaker
Georgia House of Representatives

Zell Miller
President
Georgia Senate

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BILL DRAFTING GUIDE

This guide explains how to draft a bill or resolution for the Model Legislature. Since the rules for drafting closely follow those actually used by the Georgia General Assembly, it is important to follow specific style guidelines as closely as possible.

Included are several suggestions for selecting a topic for a bill. To prepare you to defend your bill, suggestions for researching are also included. In some respects, this stage of the Model Legislature will be similar to preparing for a debate.

SUBJECT MATTER

Each member of the Model Legislature should submit legislation on a subject that will provide stimulating and provocative debate in committee or during floor sessions (i.e., those sessions where all students act as a collective body). For examples, see Sample Bill Topics (page 7).

As this will be a model state legislature, it is important to understand that there are some bills which only the U.S. Congress can consider and thus cannot properly be introduced at this Model Legislature. For instance, a state legislature cannot declare war, conduct its own foreign relations, coin money, or regulate interstate commerce. These are exclusively areas for federal jurisdiction under our U.S. Constitution.

With a few exceptions, most other areas are either (1) shared concerns of state and federal governments (as education, health, and welfare) or (2) exclusive concerns of the states (as divorce, most criminal laws, and most civil laws). See the list of Examples of Areas Subject to the Georgia Legislature (p. 8) for more specific information.

As a first step, select a topic of personal interest or concern. The topic should be specific -- such as handgun control or speed limits. Bills

should avoid unrealistic or whimsical subject areas. If no specific topic comes to mind, a general topic -- such as health or poverty -- may be selected, and your subsequent research may suggest a specific need for legislation.

BILL RESEARCH

After a specific topic has been identified for a bill, you should attempt to determine answers to the following questions:

What does Georgia's current law provide on this matter?

It is important to know whether a law has already been passed on your topic and, if so, what it provides. For instance, you would not want to introduce a bill to allow right turns on a red light, as this is already legal in Georgia.

For help in determining what current Georgia law provides, refer to --

- your local state representative or senator
- a lawyer
- the Georgia Code Annotated -- a collection of all Georgia state laws, arranged by subject matter, with a comprehensive index -- on file in any city or county court
- local League of Women Voters
- local Democratic and Republican Party associations
- interest groups, lobbyists, and various associations, such as Common Cause, the Georgia Business and Industry Association, the AFL-CIO, Chamber of Commerce, Georgia Medical Association
- your school debate coach
- on criminal matters -- your local police or sheriff's department
- on educational matters -- your local board of education
- reporters from your local newspaper, particularly those in charge of state news

Have other states passed laws similar to that which you are proposing?

If so, is it possible to find out what their experience has been since implementing the law? While this information may be difficult to obtain, evidence that other states have enacted similar legislation and had favorable experiences will strengthen your bill's chances for passage.

In addition to the above sources, consult newspaper and/or magazine articles and opinion columns for information about other states' experiences with controversial legislation.

Given past court decisions, is it likely that your bill might be declared unconstitutional?

In general, this will be difficult to determine, though in some areas the courts have spoken with great clarity (e.g., freedom of speech and religion, equal protection, etc.). Your American government textbook may outline some of the areas in which the Supreme Court has addressed basic constitutional principles.

POSITION PAPER

You should prepare a position paper to support the provisions or proposals in your legislation. The position paper will help you in drafting and debating your bill, as well as assist the committee which will consider your bill.

The position paper should be several pages in length and can be in outline form. Footnotes are not required, but a listing of information sources is advised. This is not a research paper requiring finished composition. Rather, the position paper is intended to help you convince other student-legislators of the need for your bill.

Your position paper should contain five sections:

1. State the problem, as concisely as possible, that your bill will attempt to deal with or resolve. Include any factual information concerning the problem, as well as examples or case histories to dramatize the need for a solution.
2. List alternatives to dealing with this problem in Georgia.
3. Describe the alternative that you feel best answers the problem and give reasons why. Explain how your bill accomplishes this preferred solution.
4. Consider possible arguments against your solution, and make notes on how you would defend it against these arguments.
5. List sources of information.

The more you know about your bill's subject matter, the better able you will be to defend it against its opponents. In addition to the position paper, you may want to submit other material for the review of the committee which considers your bill.

Generally, any supporting data, figures, etc., increase the probability of a bill's passage.

DRAFTING THE BILL ITSELF

Title of Bill

Before starting to write your bill, examine the sample bills in this guide. As you will notice, each bill has a title -- the sentence between AN ACT and BE IT ENACTED. . . . The title tells what the bill will be about and what it will deal with.

In writing your bill, begin by stating the subject or purpose of your legislation. In other words, begin with the title. It should indicate whether the bill proposes a new area of law or amends or repeals an existing law. For example, a title might read, "To repeal the law requiring motorcyclists to wear helmets."

In Georgia, no law may be passed which contains multiple or unrelated subject matter. For example, a bill requiring registration of handguns and also reducing penalties for use of marijuana would be prohibited. Even if a bill deals with one broad topic, such as education, it could be prohibited for containing multiple subject matter (e.g., a bill lowering the number of days that students must attend school in Georgia and also requiring teaching of the free enterprise system.)

Text of Bill

A bill can contain a number of different provisions, providing these provisions have a reasonable or logical connection with each other. Refer to the bills included in this guide for the types of provisions which can legitimately be included in a bill.

Consider what sections (or provisions) you want in your bill. You may want to include any or all of the following:

1. Terminology. Should the terms of your bill be defined or clarified to limit, restrict, or qualify its powers? A bill requiring a minimum speed limit for "motor vehicles," for example, may not be intended to include some type of vehicles, such as riding lawn mowers. So you would want to define or clarify what you meant by motor vehicle. Be sure the wording of your bill is precise, consistent, and unambiguous.

2. Enforcement. Some types of bills (e.g., a bill licensing handguns) specify how their provisions should be enforced. Such a section should indicate who will be responsible for enforcing or implementing the new law. (As a practical matter that may emerge in debate, consider how many additional personnel would be needed by the designated enforcing agency to implement your bill.)

3. Penalty. If it seems appropriate to include criminal penalties in your bill, consider whether the penalties for first and subsequent offenses should be the same. Specify what the penalty should be -- fine, imprisonment, or both. Should the penalty apply to any violation of the law, or only to willful and knowing violation?

4. Funding. If your bill would require state funds for enactment, consider how much it would cost and how it will be financed. (Since Georgia typically has few surplus funds for new programs, a new program generally means taking funds out of an existing program.)

5. Repeal of Previous Legislation that Conflicts. Note statements in sample bills.

6. Effective Date. Allow a realistic amount of time for the state's citizens to learn of the provisions of your bill and comply with them, as well as for the state to set up necessary machinery for implementing the new law.

Wording

Aim for clarity in writing your bill. Sentences should be brief -- no longer than twenty-one words, typically -- to be easily read and understood. Use simple, everyday language, not legal jargon. Try to express your ideas with a minimum of words.

As stressed before, precision of language is your next goal in bill drafting. Since, typically, much debate centers around the meaning of certain terms in a bill, you may speed consideration of your bill by specifically defining ambiguous terms and identifying what is or is not covered by the term. (For instance, "automobile" would not usually need defining, but "motor vehicle" might refer to everything from automobiles to tractors.) Be consistent in your choice of terms, also. Do not use "municipality" in one section, and "city," "town," or "village" in other sections when you are referring to the same thing.

Two words deserve special mention to the bill drafter: "shall" and "may."

"Shall" means "must" -- it is mandatory. Use "shall" in place of "is required to," "is directed to," and "it shall be his duty to."

"May" is permissive, bestowing a discretionary power. Use "may" in place of "is empowered to," "is authorized," and "shall have the power to." A great deal of confusion has arisen over these two terms in legislative history, so their distinction is important.

Style

Generally, observe grammatical rules in punctuation and capitalization. Punctuate to aid understanding, but avoid overpunctuation. Capitalize according to the usual conventions.

In legislative bill drafting, all punctuation marks are typed after the quotation marks when not part of the quoted matter: For example, "one", "two", and "three". When punctuating a series of three or more words, use a comma before the conjunction: For example, "one, two, and three."

Capitalize the first word of a section, subsection, or other subdivision. Capitalize the word "Act" when referring to your bill: For example, "this Act shall become effective July 1, 1979."

The first line of each section should be indented, with subdivisions of a section similarly indented. Capitalize and underline the word "section" and underline its number: Section 1. Subdivisions of a section should be identified by using a lower-case letter enclosed in parentheses: (a), (b), etc. If further breakdown is necessary, use numbers in parentheses: (1), (2), etc. If still further breakdown is required, use lower-case Roman numerals enclosed in parentheses: (i), (ii), etc. Following each section and subdivision, punctuate with a period or semicolon.

Finally, notice the row of numbers down the left-hand side of the page on the sample bills. These number each line of the bill. Since all legislators have copies of each bill, this is for ease in debating. A legislator may say -- "I move that the words 'fee of $2 a day' in line 4 of the bill, be changed to read 'fee of $3 a day'" -- and by consulting their copy of the bill, everyone can easily understand him or her. It is recommended that you number the lines in your bill as illustrated in the sample bills.

SAMPLE BILL TOPICS

To allow cessation of artificial life-sustaining measures
To make the death penalty mandatory for certain crimes
To provide for election day registration of voters
To provide for postcard registration of voters
To define and provide penalties for child abuse
To provide penalties for failure to vote
To eliminate penalties for use of marijuana
To abolish the death penalty
To legalize euthanasia
To ban the use of aerosol cans where fluorocarbons are used as propellants
To allow televised coverage of executions
To provide free public transportation for senior citizens
To eliminate the sales tax from food and prescription drugs
To improve public transportation
To provide for the conservation of gasoline
To reduce the amount of energy consumed in Georgia
To require adequate insulation in all new homes
To ban all private ownership of handguns
To license all private ownership of handguns
To provide incentives for car pooling
To require convicted criminals to make restitution to the injured parties
To require parents of juveniles to make restitution for vandalism damage
To reduce the length of the school year from 180 to 170 days
To eliminate the opportunity for parole for conviction of certain crimes
To provide for six-member juries in certain cases
To abolish partisan election of judges
To prohibit garnishing of wages
To more strictly regulate lobbying
To provide for a state lottery (constitutional amendment)
To provide for horse racing and pari-mutuel betting (constitutional amendment)
To provide for the election of Governor and Lt. Governor on a single ticket
To allow strikes by public employees
To allow strikes by police and firemen
To provide for state regulation of auto repair facilities
To ban the use of painful traps in capturing animals
To require all persons receiving welfare assistance to accept public jobs
To prohibit plea bargaining in all state courts
To abolish common-law marriage
To build state-owned, nonprofit electrical generating facilities
To retest and relicense automobile drivers
To raise the speed limit to 60 miles per hour
To prohibit driving less than 20 miles per hour on state highways
To prohibit use of radar detection devices in unmarked state patrol vehicles

To set spending limitations on campaigns for state offices
To ban the use of nonreturnable beverage containers
To prohibit telephone solicitations
To require premarital counseling prior to issuance of any marriage license
To prohibit spanking in public schools
To eliminate the 12th grade in public high school
To establish minimum reading skills for graduation from public high school
To require teaching of the free enterprise system in public schools

Examples of General Areas Subject to the Georgia Legislature

Abortion
Adoption
Adulthood, age of
Advertising
Agriculture
Air and water quality
Alcoholic beverages
Boat safety
Burning garbage and trees
Business practices
Child custody
Cities and counties
Civil defense
Civil law
Coastal marshlands & beach protection
Consumer protection
Contracts
Courts, operation of
Credit
Criminal law
Day-care centers
Divorce
Drugs
Economic development
Education, higher
Education, public
Education, vocational
Elderly, problems of the
Elections
Ethics in government
Fire safety regulations
Firearms and explosives
Forests
Grocery stores
Handicapped, problems of the
Highway construction
Highway patrol and enforcement
Holidays, state
Hospitals
Human relations
Hunting and fishing
Insurance
Jails
Juveniles
Labor and unions
Law enforcement
Loans
Marriage
Medicaid
Mental health care
Obscenity and pornography
Pesticides
Physical health care
Physical resources, protection of
Prisons and offender rehabilitation
Professions, business, and trades
Promotion and soliciting
Promotion of Georgia products
Public assemblies and concerts
Public officers and employees
Public utilities
Real estate
Restaurants
Sales
School curriculum
Securities
Solid waste disposal
State government, organization of
State parks and historic sites
Taxes, fees, and licenses
Tourism
Transportation
Unemployment
Veterans, programs for
Vocational rehabilitation
Welfare and public assistance
Wildlife preservation

SAMPLE BILLS

A.B. 14

By: Representative Brown of the 2nd District

A BILL TO BE ENTITLED
AN ACT

To provide that after September 1, 1979, any new passenger automobile sold within the State of Georgia shall average at least 25 miles per gallon for highway use; to provide an excise tax; and to provide an effective date.

BE IT ENACTED BY THE ASSEMBLY OF GEORGIA:

Section 1. After September 1, 1979, any new passenger automobile sold within the State of Georgia shall average at least 25 miles per gallon of gasoline for noncity highway use.

Section 2. Automobile gasoline consumption rates shall be those annually tested, certified, and published by the United States Environmental Protection Agency.

Section 3. Any new passenger automobile not meeting the fuel consumption standards prescribed in Section 1 of this Act shall be assessed a state excise tax of $50 for each mile per gallon under 25 miles per gallon.

Section 4. Such excise tax shall be collected by the automobile dealer from the purchaser and forwarded to the State according to rules and regulations set forth by the State Revenue Commissioner.

Section 5. All laws and parts of laws in conflict with this Act are hereby repealed.

Section 6. This Act shall become effective September 1, 1979.

A.B. 3

By: Representative Fermi of the 7th District

A BILL TO BE ENTITLED
AN ACT

To repeal the mandatory requirement that operators and passengers of motorcycles must wear approved headgear.

BE IT ENACTED BY THE ASSEMBLY OF GEORGIA:

Section 1. An Act requiring that operators and passengers of all motorcycles must wear approved protective headgear is hereby repealed in its entirety.

Section 2. This Act shall become effective upon approval by the Governor.

A.B. 1

By: Representative Jones of the 12th District

A BILL TO BE ENTITLED

AN ACT

To provide for the posting of all retail prices for gasoline sold by retail gasoline stations in the State of Georgia; to provide for visibility of such prices; to provide penalties; and to provide an effective date.

BE IT ENACTED BY THE ASSEMBLY OF GEORGIA:

Section 1. All retail gasoline stations operating in the State of Georgia shall visibly post prices for each grade of gasoline sold at such stations.

Section 2. Such prices shall be posted in letters and numbers of equal size and prominence, no less than ten inches in height, and clearly visible from access points to the station.

Section 3. The owner of any gasoline station not posting prices in compliance with this Act shall be subject to a fine not to exceed $500.

Section 4. All laws and parts of laws in conflict with this Act are hereby repealed.

Section 5. This Act shall become effective January 1, 1979.

GUIDE TO COMMITTEE ACTION

As a general rule, several thousand bills and resolutions may be introduced in a state legislature each year, and it is impossible for each legislator to be knowledgeable on every subject matter touched by those bills. Therefore, legislative committees have been established according to major subject areas to allow a division of labor and expertise. These committees are called standing committees because they continue to function from session to session. Over time, legislators serving on a particular committee -- for instance, the Education Committee -- become specialists in that subject area, and other legislators come to generally respect their recommendations on bills falling within that subject area.

A bill cannot come before the full legislature for debate and voting until it has been referred to a committee, which after study and hearing, must report -- or send -- the bill to the floor with a favorable or unfavorable recommendation. While this committee recommendation is not legally binding upon the full legislative body, it frequently is a major determinant as to whether the bill will pass or not when it reaches the floor.

Also contributing to the power of the committee is the fact that in many instances, the committee will decide not to report the bill out at all. This refusal has the effect of killing a bill, since no formal action can ever occur on the floor of the full legislative body until the bill comes out of committee.

Bills referred to a committee can be amended by that committee, if after study the committee feels changes are needed. Permission of the bill's original author is not needed, though the bill number remains the same. Where the changes do not meet the approval of the author, that author can request later that the full body reject the committee version, and instead accept the original bill.

Committees in the Model Legislature will operate essentially as they do in Georgia's General Assembly

and the summary of committee procedures (page 20) outlines the basic format for considering bills in committee.

COMMITTEES FOR MODEL LEGISLATURE

A description of each committee of the Model Legislature is shown in the chart on page 14. You will note that two lineups of committees are suggested. The committees recommended for use with an 80-person-or-more legislature closely parallel some of the actual committees of the General Assembly. The committees recommended for use with a less-than-80-person legislature combine the functions of the others.

Read over the list of committee jurisdictions to decide what committee you would prefer if possible. The Speaker of the Assembly decides who will be assigned to what committee, so you should indicate your preference and be willing to do a little "politicking" with candidates for Speaker if you feel it would help your chances.

In assigning bills to committee, if a bill could logically be assigned to two different committees, the Speaker decides which will consider it. In the Model Legislature it is desirable that each committee have a relatively equal number of bills to consider.

LEGISLATIVE COMMITTEES IN THE MODEL LEGISLATURE

If more than 80 students participating, use these committees:

Agriculture and Natural Resources: *Matters relating to agriculture, inspection of food stores and processing plants, marketing of agricultural products, use of pesticides, forests, etc. Also, matters relating to energy, environment, ecology, water, physical resources, game and fish, hunting, recreation, and parks.*

Economic and Consumer Affairs: *Matters affecting business, development, trade, labor, unemployment, insurance, loans, and banking. Also, matters affecting consumers, fair business practices, advertising, labeling, deposits, warranties and guarantees, auto and applicance repair regulation, credit, etc. Also, utility regulation, energy, etc.*

If less than 80 students participating, use these combined committees:

Economic and Natural Resources

Education: *Matters relating to kindergarten, elementary and secondary education, vocational education, and higher education. Includes compulsory school attendance, length of school year, requirements for graduation, tests, etc.*

Human Resources: *Matters relating to physical and mental health care, welfare and public assistance, vocational rehabilitation, families and youth, care of the aged, handicapped persons, nursing homes, drugs and alcohol, etc.*

Human Resources

Appropriations and Finance: *Funding of all governmental agencies and programs, including salaries, retirement programs, and allowance benefits for state employees. Also, matters relating to raising money by the state, including taxes.*

Rules: *Broad jurisdiction over state government, including operation of the legislative and executive branches, ethics, qualifications for office, and other state affairs. Committee also has exclusive function of setting the daily Calendar, with Speaker.*

Rules

Judiciary: *Matters relating to courts, prisons, pardon and parole, probation, offender rehabilitation, vandalism, juvenile delinquency, criminal laws, traffic laws, use of radar, etc.*

Judiciary

HOW A COMMITTEE "PERFECTS" A BILL

The process of studying a bill in committee and amending it where necessary is called "perfecting" a bill, since the purpose is to improve -- or perfect -- the bill. This is one of the most important stages of the legislative process and can perhaps be best illustrated by the following case study:

A member was disturbed about the role of handguns in the commission of crimes and decided to introduce a bill to require registration and licensing of handguns. The bill, as introduced, had five sections.

A.B. 1

By: Representative Jones of the 14th

A BILL TO BE ENTITLED

AN ACT

To require the registration and licensing of all handguns; to provide penalties; and to provide for an effective date.

BE IT ENACTED BY THE ASSEMBLY OF GEORGIA:

Section 1. Any and all handguns of any size shall be registered and licensed.

Section 2. Registering and licensing will be controlled by the Department of Public Safety.

Section 3. Failure to comply with this law will result in imprisonment and a fine. Imprisonment will be not more than 90 days and the fine shall not be less than $5000.

Section 4. All laws in conflict with this Act are hereby repealed.

Section 5. This Act shall become effective sixty (60) days following approval by the Governor.

When Rep. Jones' handgun bill came up for discussion in committee, some members opposed it because they felt citizens have a right to carry guns without governmental interference. A number of other criticisms were voiced about the measure. At this

point, the position paper prepared by the bill's author became important to outline the nature of the author's concern.

After a great deal of discussion, the idea of some form of gun registration was accepted by a majority of the committee. Still, the bill had to be "perfected."

One committee member asked what the term "handgun" means. How long does the gun barrel have to be? Does the term include sawed-off shotguns? Does it include antique pistols? Does it include handguns that are being held for sale by manufacturers, wholesalers, and dealers? Does it include air or CO_2 target pistols?

It quickly became evident that the term "handgun" should be defined, so a new Section 1 was suggested, which stated:

> Section 1. Definitions. As used in this Act, the term "handgun" shall mean any caliber pistol, revolver, or short barreled firearm of less than 15 inches in length, except that it shall not include (a) inoperative antique firearms; (b) firearms on display in any bona fide state, county, municipal, or private museum; (c) firearms subject to wholesale or resale by manufacturers, wholesalers, or dealers licensed under the laws of this state; and (d) target pistols which fire a projectile .177 caliber or less by means of compressed air or gas.

(Don't let this sophisticated definition discourage you. Student-legislators might give one committee member the responsibility for coming up with a definition. That member might first look in the dictionary or encyclopedia, then check with a gun dealer, read over material from the National Rifle Association, call the police or sheriff's department, or look in the Georgia Code Annotated to see how "handgun" is defined. It is possible, also, that articles on gun registration in newspapers and magazines have addressed this very question. The point, however, is that the committee may need more than just one day to "perfect" the bill, and some research may be necessary before the bill is reported out.)

Another member of the committee asked under what circumstances will a person have to register a handgun. What if a relative gives someone a pistol?

Someone also asked who can own a handgun. Should people who have been convicted of major crimes be legally able to own handguns? Also, how old should an owner be?

Should the serial number of the handgun be included on the license? Should there be a license fee? If so, should the fee be collected annually, every two years, or for life? How much should the license fee be? How is the state going to pay for the cost of administering this act? Could a handgun license be revoked, and if so, for what cause?

Is imprisonment and a minimum $5,000 fine -- as the original bill stipulates -- a fair penalty, particularly for someone who innocently forgets to register the handgun, or for someone moving into the state who doesn't know about the law? Should first convictions be treated separately from second convictions?

Is sixty days enough time to alert everyone in the state to the new law, and at the same time, set up offices around the state, staff them, and print up forms and licenses for registering handguns?

These are typical of the types of question that emerge during the process of "perfecting" a bill. Of course, some types of bills -- particularly those of a regulatory. criminal, civil, or financial nature -- require more scrutiny than other types, such as a bill declaring a new holiday. Nevertheless, the committee has the critical responsibility in the legislature of reviewing each measure before putting on its stamp of approval -- or nonapproval -- and sending it to the full Assembly for voting.

COMPARISON BETWEEN AN "UNPERFECTED" AND "PERFECTED" BILL

"Unperfected Bill"	"Perfected Bill"
HOUSE BILL 1	HOUSE BILL 1
By: Representative Jones of Wayne County	By: Representative Jones of Wayne County
A BILL TO BE ENTITLED	A BILL TO BE ENTITLED
AN ACT	AN ACT
To require the registration and licensing of handguns.	To provide for the registration and licensing of all handguns; to provide definitions; to provide powers of the Department of Public Safety; to provide fees; to provide penalties; and to provide an effective date.
BE IT ENACTED BY THE ASSEMBLY OF GEORGIA:	BE IT ENACTED BY THE ASSEMBLY OF GEORGIA:
Section 1. Any and all handguns of any size shall be registered and licensed.	Section 1. Definitions. As used in this Act, the term "handgun" shall mean any caliber pistol, revolver, or short barreled firearm of less than 15 inches in length, except that it shall not include (a) inoperative antique firearms; (b) firearms on display in any bona fide state, county, municipal, or private museum; (c) firearms subject to wholesale or resale by manufacturers, wholesalers, or dealers licensed under the laws of this state; and (d) target pistols which fire a projectile .177 caliber or less by means of compressed air or gas.
Section 2. Registering and licensing will be controlled by the Department of Public Safety.	Section 2. Any person who shall own, possess, purchase, or receive a handgun shall make application for a license for that handgun from the Department of Public Safety. Application for a license must be accompanied by an affidavit of the applicant under oath stating that the applicant is a citizen of

"Unperfected Bill"	"Perfected Bill"
	of the United States, has reached the age of 21, and has not been convicted of a felony.
	Section 3. Each license shall indicate the registration or serial number
	Section 4. The annual license fee for each handgun licensed under provisions of this Act shall be $3.00.
	Section 5. The Department of Public Safety shall have the power to revoke any license granted by it, after proper hearing, for fraud or willful misrepresentation of facts upon application for license, or for conviction of any felony under the laws of the State of Georgia.
Section 3. Failure to comply with this law will result in imprisonment and a fine. Imprisonment will be not more than 90 days and the fine shall not be less than $5,000.	Section 6. Failure to comply with Sections 2 or 3 of this Act shall be subject to confiscation of each unlicensed handgun, and a fine of not more than $500 for a first offense, and/or imprisonment of not more than 90 days. Subsequent conviction of a second offense under this Act shall be treated as a felony.
	Section 7. The Department of Public Safety shall have the authority to adopt reasonable rules and regulations to carry out the provisions of this Act.
Section 4. All laws and parts of laws in conflict with this Act are hereby repealed.	Section 8. All laws and parts of laws in conflict with this Act are hereby repealed. This Act shall be cumulative to any city or county ordinances regulating the carrying of handguns in public places.
Section 5. This Act shall become effective sixty (60) days following approval by the Governor.	Section 9. This Act shall become effective July 1, 1979.

SUMMARY OF COMMITTEE PROCEDURES

1. Committee is called to order by committee chairman and roll taken by committee secretary.

2. Chairman announces order of bills to be considered by committee.

3. Discussion begins on first bill called up, with chairman recognizing committee members wishing to speak for or against the bill. The bill's author (whether a member of that committee or not) may request, or be requested by the committee, to speak on behalf of the bill. Similarly, other persons or legislators may request to speak on the bill. The decision as to who may testify before the committee shall be made by the committee.

4. If committee feels additional information is needed on the bill, a member may move to postpone consideration until a later time or day. If committee is split or deadlocked on the bill, a member may move to table or postpone indefinitely consideration of the bill.

5. When someone makes a motion that the bill be called up for a vote, and the committee approves that motion, amendments to the bill (if any) are voted upon by the committee, followed by a vote on the bill as amended. In all votes, a majority of committee members present and voting will be required for approval, and all votes shall be recorded by the committee secretary.

6. The final committee vote on a bill shall be on which recommendation the bill shall receive:

    a. "Do Pass" (a favorable recommendation where no amendments were added in committee)

    b. "Do Pass With Amendments" (a favorable recommendation where the bill was amended within committee)

    c. "Do Not Pass" (an unfavorable recommendation)

    Or, the committee may choose not to report the bill out at all, thus preventing it from coming before the full Assembly. This kills a bill, unless two-thirds of the membership of the Assembly later votes to force the committee to report the bill immediately to the floor.

7. If reported from committee, the bill is returned to the Clerk of the Assembly with an attached note signed by the committee chairman indicating the number of the bill, the name of the committee which considered it, the committee's recommendation, and the date of the recommendation.

RULES OF MODEL LEGISLATURE

The following rules are adapted from the official Rules of the Georgia House and Senate, with necessary modifications for a classroom setting.

Organization

Rule 1. The Model Legislature shall consist of a single house known as the Assembly.

Rule 2. The presiding officer of the Assembly shall be the Speaker of the Assembly and be elected by the membership by a majority of votes cast.

Rule 3. The Assembly shall elect a Speaker Pro Tempore to preside and exercise the powers and duties of the presiding officer in the Speaker's absence.

Rule 4. The Assembly shall elect a Clerk by a majority of votes cast. The Clerk shall serve as chief staff officer of the Assembly.

Rule 5. There shall be a Sergeant-at-Arms to be designated by the Speaker. The Sergeant-at-Arms shall be responsible for maintaining order during legislative proceedings as directed by the Speaker.

Duties of Officers

Rule 6. The Speaker shall call the session to order at the appointed time, announce the business before the Assembly in the order in which it is to be acted upon, state and put to vote all questions which are moved from the floor, and announce the result of all votes.

Rule 7. All questions as to the priority of business before the Assembly shall be decided by the Speaker without debate.

Rule 8. The Speaker shall enforce the observance of order and decorum among the members on all occasions and inform the members on points of order or parliamentary inquiry when necessary.

Rule 9. The Speaker may suspend irrelevant debate and command silence when necessary.

Rule 10. In the case of disorderly conduct in the form of physical disruption, verbal outbursts, violation of rules, offensive language, or the unnecessary raising of points of order, the Speaker shall have the power to take whatever measures necessary to maintain order. A two-thirds vote of the membership, however, is necessary to expel a member.

Rule 11. The Speaker shall not vote in matters before the body, except in case of a tie. The Speaker shall not debate matters before the body unless first yielding the chair to the Speaker Pro Tempore.

Rule 12. The Clerk shall be responsible for counting all votes taken in the Assembly, for reading bills before the Assembly, and advising on rules of parliamentary procedure upon request by the Speaker. Additionally, all bills shall be introduced through the office of Clerk, and all bills reported from committees shall be immediately forwarded to the office of Clerk.

Committees

Rule 13. Members of all committees provided for in these rules shall be appointed by the Speaker unless otherwise ordered by the Assembly. No member may be removed from committee by the Speaker, unless the member desires to change committees and a change can be accomplished.

Rule 14. The Speaker shall appoint a chairman, a vice chairman, and a secretary for each standing committee.

Rule 15. Standing committees shall meet on call of the chairman, who shall also determine the agenda of such committee meetings. Attendance of members and voting shall be taken by the secretary of the committee.

Rule 16. All bills and resolutions shall be referred to the proper standing committee by the Speaker unless otherwise ordered by a majority vote of the members.

Rule 17. No committee shall write or mark on any bill referred to that committee but shall make any comments or changes on a separate page.

Rule 18. All reports of a committee shall be in writing. If the report is favorable to the passage of a bill or resolution, the report shall indicate "Do Pass" or "Do Pass With Amendment" or "Do Pass By Substitute," as the case may be. If the report is unfavorable to the passage of a bill, the report

shall indicate "Do Not Pass." If a committee refuses to report out a bill under its jurisdiction, two-thirds of the members may instruct that committee to meet and report the bill back to the body -- with or without recommendation.

Rule 19. Bills reported from committee shall be immediately forwarded to the Clerk.

Calendar

Rule 20. No bill or resolution shall come before the full membership for final reading, debate, and voting, until that bill or resolution has been reported from committee and placed on the Calendar by the Rules Committee (with the Speaker participating as an ex officio member). The Calendar shall list for each day the order of bills and resolutions to be considered by the full membership. No matter may be placed on the Calendar until reported from committee.

Rule 21. Bills shall be called in order listed on the Calendar by the Speaker unless a majority votes to consider a bill out of order.

Rule 22. No bill or resolution otherwise reported from committee but not placed on the Calendar may be considered, except as ordered by an absolute majority of the membership. If so ordered, the bill is immediately brought before the membership for final reading and voting.

Sample Format

ASSEMBLY CALENDAR
April 3, 1978

AB 1	Radar, Use of by Unmarked Law Enforcement Vehicles
AB 2	Artificial Life Sustaining Measures, Cessation of
AB 3	Retail Sale Items, Increase of Prices after Public Posting
AB 8	Mandatory Recycling of Articles

Quorum and Absentees

Rule 23. A majority of the Assembly shall constitute a quorum to transact business.

Rule 24. Whenever a quorum is not present, the Speaker may order the Clerk to call the roll of members and to note the absentees. Those who do not appear, and who are absent without leave, may, by order of a

majority of members present, be sent for and arrested by the Sergeant-at-Arms.

Debate and Decorum

Rule 25. When any member desires to speak on any matter to the membership, that member shall rise from his seat and respectfully indicate, "Mr. (Madame) Speaker!" No member shall be recognized by the Speaker unless that member is at his designated seat.

Rule 26. When two or more members rise at the same time, the Speaker shall name the person entitled to speak.

Rule 27. After being recognized, a member shall proceed to the front of the Assembly to the area designated as the "well" of the Assembly. (The "well" is a central podium or lectern from which members discuss or debate bills or motions.)

Rule 28. No member may question a member speaking from the well except through the following procedure: The member wishing to ask a question silently raises his hand. Upon being recognized by the Speaker, the member interrupts the member in the well and asks: "Would the gentleman (lady) yield for a question?" Upon being asked this by the presiding officer, the member in the well may simply say, "I yield." Any follow-up or subsequent questions must be prefaced by asking, "Would the gentleman (lady) yield for another question?" Should the member speaking decline to be interrupted, he says, "I do not yield," or "I will yield for questions later," and the presiding officer so indicates. The member who wanted to ask the question then must be silent.

Rule 29. A member relinquishes the floor after speaking from the well by stating: "Mr. (Madame) Speaker, I yield the floor."

Rule 30. No member may speak more than twice on any subject, nor more than once until every member desiring to speak shall have spoken.

Rule 31. In speaking, a member shall avoid calling any other member by first name.

Rule 32. No member shall refer in debate to any private conversation had with another member.

Rule 33. Members shall refrain from private conversation and preserve silence until a speaking member has taken his seat.

Rule 34. During debate, and while the presiding officer is speaking or the Assembly is engaged in voting, no member is permitted to disturb the Assembly by talking, walking across the floor, or in any other way.

Rule 35. Applause, hisses, or other noises by members during any speech or legislative proceeding shall be promptly suppressed.

Rule 36. Debate not germane or relevant to the subject under consideration shall be ruled out of order by the Speaker.

Rule 37. If any member, in speaking or other actions, transgresses the rules of the Assembly, the Speaker shall call him to order, in which case that member shall immediately sit down, unless permitted to explain. The Assembly shall, if appealed to, decide whether to confirm the presiding officer's action.

Rule 38. The Assembly shall have the power to punish its members for disorderly behavior or misconduct by censure or expulsion, except that no member shall be expelled except by a vote of two-thirds of the members.

Rule 39. If a member or the Speaker violates the rules or makes a mistake in procedure, an Assembly member without being recognized by the Speaker may say: "Mr. Speaker, I rise on a point of order," or "Point of order!" The point of order must be raised immediately, even if a member who has the floor is interrupted. As soon as the point of order is raised, the Speaker must consult the rules or check with the Clerk, if necessary, and rule on the point.

Rule 40. If a member is unsure or has a question about the procedures being used to dispose of business before the Assembly or about the effect of a pending motion or question, a "parliamentary inquiry" can be used. The member states: "Mr. Speaker, I rise on a point of parliamentary inquiry," or "Parliamentary inquiry!" It may be raised without gaining the recognition of the Speaker only if it is a pressing matter requiring immediate answer.

Time Limits on Debate

Rule 41. The time allotted for each speaker during general debate on a bill or resolution shall be 3 minutes, except that the sponsor of the bill and one speaker in opposition shall be allotted 5 minutes each. Debate shall be limited to 25 minutes per main motion (the bill or principal question before the Assembly), unless extended for 15 minutes by a two-thirds vote of those present. After the previous question (see Rule 49) has been ordered on the main question, no further debate is allowed, except that 3 minutes shall be allowed to close the debate by the committee which considered the bill. If the committee reported the bill with an unfavorable recommendation, the sponsor of the bill shall also be allotted 3 minutes at this time.

Rule 42. Where debate is allowed on a subsidiary motion (e.g., a motion to amend or to postpone until a specific time), or on an incidental motion (e.g., appealing a Speaker's ruling), such debate shall be limited to 2 minutes per speaker, with total debate not to exceed 10 minutes, unless extended for 5 minutes by a two-thirds vote. Time spent on subsidiary and incidental motions shall not affect the time limitations on the main motion.

Motions

Rule 43. No member may make more than one motion at a time. After making a motion, that member must resume his seat unless again recognized by the Speaker.

Rule 44. No member may speak on a question and then submit any motion which would have the effect of preventing further debate before first yielding the floor.

Rule 45. No motion made by any member shall require a second before being put to the body for a vote.

Rule 46. After a motion has been made and restated by the Speaker to the body, it may be withdrawn only by unanimous consent of that body prior to a vote on that motion.

Rule 47. When any bill or resolution is before the members for consideration or debate, the following subsidiary motions shall be in order:

1. A MOTION TO ADJOURN -- This is used to terminate the business of the body and can be made at any time unless the previous question has been

ordered and the main motion approved so that members are about to cast their final vote on the bill. When approved, this motion suspends the meeting until the regularly scheduled time for reconvening the next day. (Not debatable)

2. A MOTION TO LAY ON (OR TAKE FROM) THE TABLE -- To "lay on the table" is to remove consideration of a bill, together with all motions attached to it at the time, from the body. Should a member later wish to recall the bill, a motion to "take from the table" is made. (Not debatable)

3. A MOTION FOR THE PREVIOUS QUESTION -- This is used to cut short debate on a measure or motion and to bring that measure or motion to a vote. (Not debatable)

4. A MOTION TO ADJOURN TO A SPECIFIC TIME -- This is used to recess or temporarily adjourn the business of the body until a definite time for reconvening, which is stated in the motion. (Debatable)

5. A MOTION TO INDEFINITELY POSTPONE -- This is often used to kill a bill without bringing it up for a vote on its merits. With this motion, further consideration of a measure or motion is suspended for the session. (Debatable)

6. A MOTION TO POSTPONE UNTIL A SPECIFIC TIME -- This is used to postpone further consideration of a measure until a specified day or hour. (Debatable)

7. A MOTION TO RECOMMIT TO COMMITTEE -- This is used to refer a bill which is before the Assembly back to the committee which reported it out, or to another committee, for further study. (Not debatable unless instructions are added to this motion for the guidance of the committee in its consideration of the measure)

8. A MOTION TO AMEND -- This is used to add and/or strike words from a bill. (Debatable)

These motions shall take precedence in the order named above. Thus, if while debating a bill, motions to amend, recommit, and table a bill occur, the motion to table will be voted upon first and, if approved, will preclude further consideration of the subordinate motions. The above-stated subsidiary motions shall require a majority vote of those present for approval.

Rule 48. In addition to the subsidiary motions listed in Rule 47, other motions will arise incidentally out of the business before the Assembly and may require immediate action. Generally, these incidental motions will have no order of precedence. Examples of such motions include:

Motion	Debatable?	Vote Required
Appeal Speaker's assignment of a bill to committee	No	Majority voting
Appeal Speaker's ruling	Yes	Majority voting
Suspend rules	No	Unanimous consent/or 2/3 voting
Disagree with a committee's unfavorable report	Yes	Majority voting
Instruct committee to report bill out	Yes	2/3 voting
Withdraw a motion	Yes	Unanimous consent
Withdraw a bill	Yes	Unanimous consent
Censure or expel a member	Yes	2/3 membership
Roll call to determine if quorum present	Yes	1/5 voting
Division of Assembly (hand vote)	No	Request of any member
"Yeas and nays" (roll call vote)	No	1/5 voting
Extend or limit debate	No	2/3 voting
Arrest of absent members	Yes	Majority voting

Previous Question

Rule 49. At any point, when no one is in the well, a member may state, "I move the previous question." This has the effect, if passed, of cutting off further debate on a bill or motion.

Rule 50. The previous question may be called or ordered upon a single motion, or an amendment, or it may be made to embrace all authorized motions or amendments and include the entire bill. The motion for the previous question shall be decided without debate.

Rule 51. When the motion shall have been made, the presiding officer shall first ask, "Shall the motion for the previous question be sustained?" If a majority of those voting so sustain, the next question shall be, "Shall the main question be now put?" If decided in the affirmative by a majority, all other motions will be out of order.

Amendment

Rule 52. There are three ways in which a bill or proposition may be amended:

1. By inserting or adding words
2. By striking out words
3. By striking out and inserting words

An amendment may itself be amended, but it is not permissible to amend an amendment to an amendment.

Rule 53. Where a bill is systematically amended and a distinction between the original bill is necessary, the systematically amended bill shall be called a substitute bill. A substitute bill may be introduced in committee or on the floor of the house during debate. For purpose of amending a substitute, a substitute shall not be treated as an amendment.

Rule 54. All motions to amend any matter before the house must be in writing, stating plainly and distinctly what parts of the bill will be amended and in what manner.

Rule 55. Priority of amendments shall be as follows: When several amendments are offered touching on a sum of money or expenditure within a bill, the largest sum shall be considered first by the body. If it passes, it negates the other similar amendments. Similarly, if the amendments concern a time, the most distant day shall be voted upon first. On other amendments, the last amendment shall be voted upon first.

Rule 56. All amendments must be germane or relevant to the subject matter under consideration, and the Speaker is authorized on his own motion, or upon a point of order being made, to rule out an amendment not germane.

Voting

Rule 57. No member may abstain in voting, nor shall "pairing" of votes be allowed.

Rule 58. No member may vote or attempt to vote for another member on any question or proposition.

Rule 59. No bill shall become law unless it shall receive a majority of the votes of all members of the Assembly. No resolution proposing an amendment to the Constitution shall be approved unless it shall receive a two-thirds majority of the vote of all members of the Assembly. For other motions

where no requirement is specified in these Rules, a majority vote of the members present and voting shall be necessary for approval.

Rule 60. Procedural motions may be voted upon by voice, unanimous consent, hand, or roll call vote. When a decision seems doubtful to the presiding officer on a voice vote, or when any one member of the Assembly shall call for a division of the Assembly, the presiding officer may call for a hand (or standing) vote.

Rule 61. At the presiding officer's discretion, or upon the call of one-fifth of the members, a vote by yeas and nays (roll call) shall be used on any matter before the Assembly and shall be decided without debate.

Rule 62. On a roll call vote, the Clerk shall read the name of each member, and that member shall vote "yea" or "nay." After so voting, no member may change his vote unless, at the same time, he declares that he voted under a mistake on the question.

Rule 63. During a roll call vote, members must vote from their own seats.

Rule 64. When voting by unanimous consent, the presiding officer will announce the motion or question and ask, "Is there objection?" If no objection is voiced, the motion or question is adopted. If any member objects, the vote must be taken by other means.

Action of the Governor (Optional)

Rule 65. The Governor shall have the power to veto any bills passed by the Assembly, unless overridden by two-thirds of the membership.

Additional Rules

Rule 66. Where any question arises which is not provided for in these rules, the presiding officer shall make a determination based on official Rules of the Georgia House of Representatives and Senate, or Robert's Rules of Order, or other manual of parliamentary procedure, ruling as may be necessary for reasonable operation of the Assembly.

Rule 67. No suspension of these rules shall be made unless approved by unanimous consent or by two-thirds of those present and voting.

Rule 68. If additional rules, or changes in existing rules are needed, they shall originate in, or be submitted to, the Rules Committee which shall report back to the membership. An affirmative vote is needed on any changes as in Rule 67.

MODEL LEGISLATURE EVALUATION FORM

DIRECTIONS: For each item check the one response that best indicates your feelings.

1. My general feeling about the Model Legislature is:
_____ *excellent* _____ *good* _____ *fair* _____ *poor*

2. My personal involvement was:
_____ *very high* _____ *high* _____ *average* _____ *low*

3. Now my attitude toward the legislative process is:
_____ *more positive* _____ *about the same* _____ *more negative* _____ *don't know*

4. My knowledge of the legislative process is:
_____ *much better* _____ *a little better* _____ *about the same* _____ *don't know*

5. The quality of the Student Materials was:
_____ *excellent* _____ *good* _____ *fair* _____ *poor*

6. The bill researching and drafting activities were:
_____ *excellent* _____ *good* _____ *fair* _____ *poor*

7. The conduct of the committee meetings was:
_____ *excellent* _____ *good* _____ *fair* _____ *poor*

8. The conduct of the floor sessions was:
_____ *excellent* _____ *good* _____ *fair* _____ *poor*

9. The teacher-led orientation and debriefing sessions were:
_____ *very helpful* _____ *somewhat helpful* _____ *a little helpful* _____ *not helpful*

10. What aspects of the Model Legislature did you like best? _____
_____
_____
_____

What aspects did you like least? _____
_____
_____
_____

11. Generally, to improve the Model Legislature there should be:

____ *more time for bill drafting*
____ *more information about Georgia laws and bill topics*
____ *better understanding of parliamentary procedure*
____ *more time to conduct committee meetings*
____ *better preparation of Assembly officers for their duties*
____ *other (please write out)* _____
_____
_____
_____
_____
_____